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7 Attorney for Dustin Ryan Randolph

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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 DUSTIN RYAN RANDOLPH,
15 Defendant.

Case No. 2:22-mj-00660-BNW

**STIPULATION TO CONTINUE
BENCH TRIAL
(First Request)**

16
17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
18 United States Attorney, and Angelica Marmorstein, Assistant United States Attorney, counsel
19 for the United States of America, and Rene L. Valladares, Federal Public Defender, and
20 Keisha K. Matthews, Assistant Federal Public Defender, counsel for Dustin Ryan Randolph,
21 that the bench trial currently scheduled on October 19, 2022, at the hour of 9:00 a.m., be vacated
22 and continued to a date and time convenient to the Court, but no sooner than thirty (30) days.

23 This Stipulation is entered into for the following reasons:

- 24 1. There is outstanding discovery.
25 2. The parties need additional time to prepare for trial and consider potential non-
26 trial dispositions.

2. The defendant is out of custody and agrees with the need for the continuance.

3. The parties agree to the continuance.

This is the first request for a continuance of the bench trial.

DATED this 14th day of October, 2022.

RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

/s/ Keisha K. Matthews
By _____

KEISHA K. MATTHEWS
Assistant Federal Public Defender

/s/ Angelica Marmorstein
By _____

ANGELICA MARMORSTEIN
Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DUSTIN RYAN RANDOLPH,

Defendant.

Case No. 2:22-mj-00660-BNW

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defense counsel needs further investigation into this matter.
2. The defendant is out of custody and agrees with the need for the continuance.
3. The parties agree to the continuance.

CONCLUSIONS OF LAW

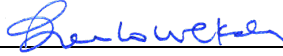
The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, title 18, United States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18, United States Code, §§ 316(h)(7)(B) and 3161(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the bench trial currently scheduled on Wednesday, October 19, 2022, at 9:00 a.m., be vacated and continued to November 30, 2022 at 9:00 a.m.

DATED this 17th day of October, 2022.


UNITED STATES MAGISTRATE JUDGE